

Pre-Auth/B
#612
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
David Sidransky) Examiner: Anna Pawul
Serial No. 09/164,764) Group Art Unit: 1643
Filed: October 1, 1998) Atty. Dkt. No. 01107.76459

For: DETECTION OF HYPERMUTABLE NUCLEIC ACID SEQUENCE IN TISSUE

PRELIMINARY AMENDMENTAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please enter the following amendment prior to the examination of this application.

IN THE CLAIMS

Cancel claims 1- 22 and add new claims 23-34.

B1
-23. A method for detecting cancer of an organ in a specimen external to the organ comprising the steps of:

testing a plurality of microsatellite markers in the specimen to determine a microsatellite marker length alteration relative to a control sample, wherein a microsatellite marker length alteration in the specimen relative to the control sample indicates the presence of a cancer in an organ which drains into the specimen.

24. The method of claim 1 wherein the specimen is selected from the group consisting of: blood, urine, sputum, bile, stool, cervical smears, saliva, tears, cerebral spinal fluid, and lymph nodes.

25. The method of claim 1 wherein the length alteration is an expansion of repeat units within the microsatellite marker.